

REMARKS

In the April 10, 2007 Office Action, the Examiner noted that claims 1-4 and 9-13 were pending in the application and were rejected under 35 USC § 103(a). In rejecting the claims, U.S. Patents 5,440,624 to Schoof, II; 5,237,499 to Garback; (References A and C, respectively in the March 15, 2004 Office Action); and 6,052,680 to Towell (Reference C in the August 25, 2005 Office Action) were cited. Claims 1-4 and 9-13 remain in the case. The rejections are traversed below.

Rejections under 35 USC § 103(a)

On pages 2-5 of the April 10, 2007 Office Action, claims 1, 2 and 9-13 were rejected under 35 USC § 103(a) over Schoof, II in view of Towell and claims 3 and 4 were rejected under 35 USC § 103(a) as unpatentable over Schoof, II in view of Towell and further in view of Garback using the same language as in the October 18, 2006 Office Action. Based on the Response to Arguments on page 6 of the April 10, 2007 Office Action, the term "utterance objects" is apparently being interpreted so broadly as to include "words" which is significantly different than how the term "utterance objects" is used in the application. To prevent this overly broad interpretation, the independent claims have been amended to add the common definition of "object" in the software art which appears at page 2, lines 22-24 of the application, e.g., "each of the utterance objects including data and a procedure" (claim 1, lines 3-4). As should be apparent to one of ordinary skill in the art from, e.g., page 9, lines 5-7, "utterance objects ... indicate the objects of utterances" and other statements in the specification, "utterances" are words and "utterance objects" are software objects that may be stored in an object-oriented database (see, e.g., page 9, line 2).

Thus, contrary to the statement in the Response to Arguments, there was no "admission ... [that] Towell teaches a number of utterance objects in the discussion" (Office Action, page 6, lines 18-19) in the Remarks of the Amendment filed January 18, 2007. Rather, it was stated that the "cosine distance calculated in the method taught by Towell indicates a difference between words in an e-mail and predetermined words" (January 18, 2007 Amendment, page 6, lines 31-32). As discussed above, "utterance objects" are not "words" and therefore, there was no admission as asserted in the Response to Arguments.

Furthermore, as stated in the January 18, 2007 Amendment and in several previous Amendments, even if "utterance objects" were "words," the "cosine distance" calculated in the method taught by Towell would not be equivalent to anything recited in the claims. The claims

recite generating an "index" (e.g., claim 1, line 7) by "calculating one of a number of speakers in the discussion, a number of utterance objects in the discussion, a depth of a tree structure of the information stored about the discussion and a data amount of the information stored about the discussion" (e.g., claim 1, lines 5-7). As noted above and in the January 18, 2007 Amendment, the "cosine distance" in Towell represents a similarity between words which is not equivalent to anything used to generate the "index" recited in the claims. At least since the Amendment filed by Certificate of Mailing on November 25, 2005 (received by the U.S. Patent and Trademark Office on November 28, 2005), the claims have required that the index be generated by calculating something that does not represent similarity between words. Therefore, for this additional reason which has been repeated articulated in response to the rejections relying on Towell, all of the claims patentably distinguish over the cited prior art.

Summary

It is submitted that the references cited by the Examiner do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-4 and 9-13 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: July 10, 2007

By: /Richard A. Gollhofer/

Richard A. Gollhofer
Registration No. 31,106

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501